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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Marisol Mendoza,

10 Petitioner,

11 v.

12 William Barr, et al.,

13 Respondents.
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No. CV-20-00514-PHX-SPL (MTM)

ORDER

15 In its June 16, 2020 Order, the Court observed that Petitioner provided evidence,
16 which Respondents object to but do not contradict, that shows her physical state could
17 quickly and unexpectedly change, which could have devastating consequences in light of
18 her preexisting conditions. This Court therefore ordered Respondents to transfer Petitioner
19 to a negative pressure cell located in the medical unit with the understanding that it would
20 allow them to provide Petitioner with “a higher level of observation [and] care,” as they
21 described it, including *closely* monitoring Petitioner’s symptoms and *frequently* testing her
22 vital signs.

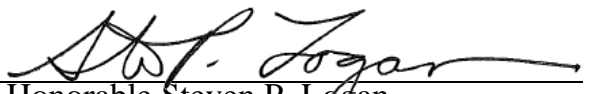
23 The Court has reviewed Petitioner’s Motion to Amend the June 16, 2020 Order
24 (Doc. 50) and Respondents’ Notice of Compliance (Doc. 52) and Response (Doc. 54).
25 Setting aside the factual disputes regarding the cleanliness of Petitioner’s cell when she
26 first arrived, the negative pressure cell provides Petitioner with the ability to alert officers
27 if she requires immediate medical attention by waving at the camera in her cell that is
28 monitored by staff, knocking on the door, or pressing the emergency button. Video

1 monitoring could also prove beneficial in the event Petitioner were to require medical
2 attention but was unable to personally alert staff. It is not apparent to the Court that these
3 additional safeguards, in tandem with more frequent vitals testing and interaction with
4 staff, would be, objectively, constitutionally deficient. The Court understands that there is
5 a countervailing concern regarding the negative effects of isolation in the negative pressure
6 cell. That question, however, does not turn on whether Respondents have not, will not, or
7 cannot, provide Petitioner with the reasonable care she needs.

8 **IT IS ORDERED** that Petitioner's Motion to Amend Order (Doc. 50) and Motion
9 for Hearing (Doc. 51) is **denied without prejudice** and the Court's Order to Show Cause
10 (Doc. 53) is **discharged**.

11 **IT IS FURTHER ORDERED** that the parties shall meet and confer
12 (telephonically, electronically, or in person) and file a joint proposed order of modified
13 conditions no later than by **noon on June 18, 2020**. The proposed order must include, at
14 minimum, the frequency of vitals testing, examinations, and psychiatric evaluations and/or
15 counseling. Should the parties stipulate that Petitioner should be returned to Bravo 600,
16 the proposed order should so indicate. Similarly, should the parties stipulate that Petitioner
17 should be placed in a similar negative pressure cell with a television, the proposed order
18 should so indicate.

19 Dated this 18th day of June, 2020.

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22 Honorable Steven P. Logan
23 United States District Judge
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